

BERING SEA AND ALEUTIAN ISLANDS MANAGEMENT AREA (BSAI)
GROUNDFISH FISHERY
EXEMPTED FISHING PERMIT
AUTHORITY: 50 CFR 600.745(b) AND 50 CFR 679.6

PERMIT #2020-01

The Administrator, Alaska Region, (Regional Administrator), National Marine Fisheries Service (NMFS), hereby authorizes one vessel to conduct experimental fishing in the Bering Sea/Aleutian Islands federal fisheries management area to test a halibut excluder device in the Amendment 80 flatfish fishery between August 1, 2021 and December 31, 2022. The excluder device is designed to release halibut from trawl gear. This exempted fishing permit (EFP) describes exemptions to regulations and other requirements that are necessary to facilitate the project.

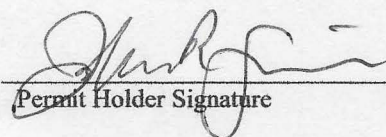
The permit holder and the owners and operators of the participating vessel must comply with the EFP terms, and unless otherwise provided in this permit, the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), and 50 CFR parts 600 and 679. An authorized designated representative for the vessel owners and operators participating in experimental fishing under this EFP must complete and sign a copy of the vessel information form contained in Appendix A of this EFP.

This permit is valid and in effect when signed by both the Regional Administrator and participating permit holder. This permit is valid through December 31, 2022. If experimental fishing under this EFP concludes before the expiration date, the permit holder may terminate the permit prior to the expiration date by notifying Megan Mackey (907) 586-7322, NMFS Alaska Regional Office. This permit may be revoked, modified, or suspended under the permit's terms, by the Regional Administrator, or by regulatory action under 50 CFR 679, 50 CFR 600.745, or 15 CFR part 904.

James W. Balsiger, Ph.D.
Administrator,
Alaska Region, NMFS

Date Signed

**HALIBUT EXCLUDER
EXEMPTED FISHING PERMIT 2020-01
PERMIT HOLDER SIGNATURE PAGE**



Permit Holder Signature

JOHN R GALVIN

Permit Holder Printed Name

Alaska Seafood Cooperative

Permit Holder Company/Affiliation

April 20, 2021

Date Signed

**BERING SEA AND ALEUTIAN ISLANDS MANAGEMENT AREA
GROUNDFISH FISHERY
EXEMPTED FISHING PERMIT #2020-01
TERMS AND CONDITIONS**

AUTHORITY: 50 CFR 600.745(b) AND 50 CFR 679.6

TESTING A HALIBUT EXCLUDER DEVICE IN THE AMENDMENT 80 FLATFISH FISHERY

A. Permit Holder

John R. Gauvin, Science Projects Director
Alaska Seafood Cooperative
4241 21st Avenue West, Suite 302
Seattle, WA 98199
(206) 660-0359

B. Designated Vessel. The factory trawler (F/T), North Star, is the vessel designated to conduct field testing of the halibut excluder device using twin trawl nets in the yellowfin sole and flathead sole fisheries. This would involve one trip with approximately 70 tows, occurring sometime between August 2021 and December 2022. To account for any inherent difference in catchability between the two nets used in the twin trawl system, the excluder device will be periodically switched from one side to the other side as often as is practical for the EFP vessel. In addition to the EFP, the owners and operators of the designated vessel are required to hold all permits otherwise authorizing participation in the Amendment 80 flatfish fishery.

1. The permit holder will submit to NMFS a completed and signed Vessel Data Sheet (see **Appendix A**) for this designated vessel no later than three business days prior to the commencement of the exempted fishing authorized by this permit
2. If the designated vessel is unable to complete the EFP fieldwork (e.g., due to a mechanical breakdown), the permit holder will inform NMFS and submit the required information for any replacement vessel per the designation and notification instructions in sections C and D of this EFP.
3. A copy of this EFP must be on board the designated vessel when EFP fishing.

C. Notification of Exempted Fishing. The permit holder must notify NMFS Alaska Regional Office (Megan.Mackey@noaa.gov), the NOAA Office of Law Enforcement (NOAA OLE) (Nathan.Lagerwey@noaa.gov and Will.Ellis@noaa.gov), and the NMFS Alaska Fisheries Science Center, North Pacific Observer Program (Observer Program) (Christopher.Anderson@noaa.gov) by email at least 24 hours before any designated vessel embarks on an EFP fishing trip.

The permit holder must notify NMFS, NOAA OLE, and the Observer Program via the same email addresses, within 24 hours of the end of the fishing trip under this EFP.

D. Area of Exempted Fishing. Exempted fishing under this permit will occur in areas where the F/T North Star would otherwise be allowed to fish for yellowfin sole and flathead/other flatfish in the Bering Sea and Aleutian Islands Statistical and Reporting Areas (see Figure 1 to § 679).

- E. Halibut observer specimen collections.** The permit holder for the field testing trip will collect up to a total of 100 caudal fins from a random sample of halibut from both the deck and the factory, storing them for later testing to determine sex ratios. This should not disturb the normal workflow of observer desk sorting and data collection. Testing will be done by researchers with Alaska Pacific University and the International Pacific Halibut Commission (IPHC). This will help to inform methods for anticipated future data collections to characterize the sex ratio of halibut taken as bycatch, which is a data gap identified by the IPHC.
- F. Vessel Data Recording Requirements.** The permit holder must work with the vessel owners retaining fish under this EFP to comply with the federal record keeping and reporting requirements at § 679.5. Groundfish and prohibited species catch during all EFP activities will be funded through the annual catch allowances available through Alaska Seafood Cooperative's Amendment 80 allocations. Therefore, this EFP does not require any additional catch allowances outside of those normally available to the Alaska Seafood Cooperative members.
- G. Observer Requirements.** In addition to other requirements set forth in this EFP, observers will be deployed to the vessel throughout the experimental fishery in accordance with Observer Program protocol and sample each haul at sea as per observer protocol.¹ To understand the effects of the excluder, halibut catch and groundfish total catch data will be collected from each side of the twin trawl separately. Catch from the two nets used for each haul will be brought on board and accounted for separately. To ensure separate accounting, catch from the two nets will be placed into separate tanks or into the same tank only after catch from the first net has been removed from the tank. Handling for each net will occur according to standard procedures for deck sorting.² Observers and crew will communicate and coordinate to ensure minimal deviation from Observer Program protocols during fishing. Crew members will collect all halibut that make it to the factory (*i.e.* are not sorted on deck) for purposes of measuring each of these fish and recording the length data before discarding them using the same conveyor belt pathway that is normally used.
- H. Exemptions from Federal Regulations.** The owners, operators, and crew of the designated vessel must comply with all requirements of 50 CFR part 679 regulations applicable to vessels participating in Amendment 80 flatfish fisheries, with the exception of the two exemptions listed below. These exemptions apply only to testing during the effective period of the EFP.

Catch of Halibut Prohibited Species Catch (PSC). First, an exemption is granted to the operator of the vessel from the requirement to minimize the catch of halibut PSC at § 679.21(a)(2)(i). This exemption will apply only in the event that higher than average catch of halibut is encountered during field testing. The determination that a higher than average catch of halibut is encountered will be made by NMFS Alaska Region Inseason Branch.

Handling of Halibut PSC. Second, an exemption is granted to the operator of the vessel from § 679.21(a)(2)(ii) regarding the careful handling and immediate release of halibut PSC. This exemption will allow the collection of caudal fin clips from a sample of the halibut PSC encountered. This exemption will also allow crew members to collect and measure the halibut PSC that make it to the factory, recording length data before releasing the fish via the standard

¹ <https://www.fisheries.noaa.gov/resource/document/north-pacific-observer-sampling-manual>

² 84 FR 55044, October 15, 2019

conveyor belt pathway.

I. Administration of the Activities under Exempted Fishing. Management of the EFP fieldwork will be the responsibility of the permit holder. In addition to other duties, the permit holder will:

1. Monitor and ensure compliance with the terms of the EFP.
2. Contact NMFS if problems arise that require adjustments to the experiment design.
3. Provide sampling and data recording instructions, data forms, and any biological collection tools and storage materials necessary for sampling.
4. Coordinate with the vessel and crew to make sure they understand and comply with data recording instructions and the terms of the permit.
5. Arrange for the statistical analysis of the data.
6. Make sure the milestones of the EFP application are achieved, adhering to the timelines set out in the application – unless otherwise agreed to by both the applicant and the agency.
7. Submit the reports by the deadline specified in this EFP.
8. Present the reports to the North Pacific Fishery Management Council (Council) as requested.

J. Analysis of Results. All data collected by the permit holder on the vessel named on the Vessel Designation Sheet submitted to NMFS for fishing under this permit are disclosable to the public, except for haul-specific catch data and vessel-specific fishing locations and other proprietary business information not relevant to the studies, which are otherwise treated consistent with confidentiality provisions under the Magnuson-Stevens Act. Data collected by NMFS observers relevant to this EFP are disclosable to the public, otherwise observer data will be treated consistent with data confidentiality provisions under the Magnuson-Stevens Act.

The permit holder will prepare two reports. The first report will specifically focus on these metrics: halibut catch rate reduction per hour, groundfish escapement rate per hour, change in rate of halibut kg/metric ton of groundfish, and how excluder use affects size of halibut taken as bycatch. Detailed information on specifics of the device(s) tested and construction/rigging will be included and this report will also provide basic information about the testing methods. All EFP reports will be written to be accessible to flatfish captains and gear manufacturers involved with halibut excluder construction. A second, separate report will be drafted for the sex ratio pilot data collection. That report will detail what was learned about the practicality of data collection methods and how this may affect sampling strategies in a potential larger-scale collection aimed at understanding sex ratio of halibut taken as bycatch in the Amendment 80 fisheries.

These two reports will be provided to NMFS no later than six months after the completion of field testing. They will summarize the results of the hypotheses tested and how well EFP objectives were accomplished. The reports will be disclosable to the public and the permit holder will present EFP results to the Council as requested by the Council.

K. Violations, non-compliance. The permit holder must immediately notify the NMFS Alaska Regional Office by contacting Megan Mackey (Megan.Mackey@NOAA.gov) and the owners of the designated vessel fishing under this permit if the vessel is not meeting EFP requirements. Failure of the permit holder, vessel crew, or the owners or operators of the designated vessel fishing under this EFP to comply with the terms and conditions of this permit, non-exempted

provisions of 50 CFR parts 600 and 679, the Magnuson-Stevens Act, or any other applicable regulations, may be cause for revocation, suspension, or modification of this permit as well as civil or criminal penalties under the Magnuson-Stevens Act.

APPENDIX A—VESSEL DATA SHEET
EXEMPTED FISHING PERMIT: 2020-01
DESIGNATED VESSEL

Name of Managing Company: North Star Fishing Company
Vessel Name: North Star
Federal Permit Number: #
USCG Official Number: #1267875
Owner Name: North Star Fishing Company
Owner Address: 2001 W. Garfield St. Terminal 91 Bldg. A1 C-107
Seattle, WA 98119
Phone: (206) 298-3120
Email: arne@northstarfishing.com
Length Overall: 87m
Gross Tonnage: 4412 ± CTM
Type of Vessel: F/T (Catcher-processor)
Homeport: Seattle

Name, phone number, and email of designated representative:

Arne Fuglveg (202) 714-0239

Signature(s) of Vessel Owner or Designated Representative(s):

Arne Fuglveg

Signature

April 20, 2021

Date signed

Signature

Date signed

The signature(s) above confirm this information, but do not constitute a final commitment to participate in the exempted fishing operations.